

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE:

TAKATA CORPORATION et al.,

Debtors.

TAKATA MDL ACTION PLAINTIFFS,

Appellants,

v.

FOREIGN REPRESENTATIVE,
ELLIOTT ASSOCIATES, L.P., et al.,

Appellees.

C. A. No. 17-1717-MWB

Bankruptcy Case No. 17-11713 (BLS)

RECOMMENDATION

At Wilmington this **15th** day of **December, 2017**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel through a letter dated December 13, 2017,¹ to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the

¹ Consistent with the Court's standard Order regarding information related to mediation, this letter was not docketed.

expense of the process.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties were advised of their right to file objections to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

In addition, the parties propose the following briefing schedule:

Appellants' Opening brief	January 2, 2018
Appellee's Answering brief	45 day after the Opening brief is filed
Appellants' Reply brief	14 days after the Answering brief is filed

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng